

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION**

PHILIP R. MCHUGH,	:	
	:	Case No. 1:21-cv-00238
Plaintiff,	:	
	:	Judge Michael R. Barrett
v.	:	
	:	PLAINTIFF’S UNOPPOSED MOTION
FIFTH THIRD BANCORP, ET AL.	:	TO AMEND CALENDAR ORDER
	:	
Defendants.	:	
	:	

Now comes Plaintiff Philip R. McHugh (“Plaintiff”), by and through counsel, and pursuant to Rule 16(b)(4) hereby moves that this Court amend its current Calendar Order’s deadline for expert witness disclosure as follows:

	<u>Current</u>	<u>Proposed</u>
Plaintiff disclosure and report of experts	October 1, 2021	November 15, 2021
Defendant disclosure and report of experts	November 1, 2021	December 15, 2021
Disclosure and report of rebuttal experts	December 1, 2021	January 17, 2022

This extension is being requested in light of ongoing discovery and production of documents necessary to prepare Plaintiff’s expert report, including Plaintiff’s correspondence to Defendant regarding documents not produced and supplemental discovery requests served on September 27, 2021. This is Plaintiff’s first requested extension of the expert disclosure deadline, and the requested extension is not anticipated to affect other current deadlines, including the current discovery cut-off or the dispositive motion deadline.

Plaintiff’s counsel has reached out to Defendant’s counsel, who has confirmed they do not oppose this extension. A proposed Order regarding this extension is attached as **Exhibit A**.

Respectfully Submitted,

/s/ John J. McHugh

John J. McHugh, III
McHUGH & McCARTHY, LTD
5580 Monroe Street
Sylvania, Ohio 43560
(419) 885-3597
(419) 885-3861 (fax)
**Co-Counsel for Plaintiff Philip R.
McHugh**

/s/ Peter A. Saba

Peter A. Saba, Esq. (0055535)
Joshua M. Smith, Esq. (0092360)
STAGNARO, SABA
& PATTERSON CO., L.P.A.
2623 Erie Avenue
Cincinnati, Ohio 45208
(513) 533-2701
(513) 533-2711 (fax)
pas@sspfirm.com
jms@sspfirm.com
**Co-Counsel for Plaintiff Philip R.
McHugh**

CERTIFICATE OF SERVICE

The undersigned hereby certified that a copy of the foregoing was served on Michael L., Cioffi, David J. Oberly, and Thomas H. Stewart of Blank Rome, LLP, on this 1st day of October, 2021 via the Court's CM/ECF system.

/s/ Joshua M. Smith

Joshua M. Smith, Esq. (0092360)